

REMARKS

In view of the above amendments and the following remarks, further examination and reconsideration of the rejections in the Office Action of March 25, 2009 are respectfully requested.

On pages 3-12 of the Office Action, claims 22-27, 32, and 34-37 are rejected under 35 USC § 103(a) as being unpatentable over US 2003/0152222 to Nakano et al. in view of JP 2001-060286 to Katsumi; on pages 12-15 of the Office Action, claims 28-31 and 33 are rejected under 35 USC § 103(a) as being unpatentable over Nakano and Katsumi, and further in view of US 6,240,401 to Oren et al. The claims have been amended to overcome these rejections. Thus, the rejections are inapplicable to the amended claims for the following reasons, and withdrawal of the rejections is respectfully requested.

Claim 22 recites a content reproduction system comprising a recording medium, a content distribution apparatus, and a reproduction apparatus,

wherein the recording medium is operable to store, in association with each other, (i) identification information for identifying a plurality of contents that can be acquired, (ii) a master key that is common to the plurality of contents, and (iii) rule information that indicates a use rule that is common to the plurality of contents,

wherein the content distribution apparatus includes:

a transmitting unit operable to transmit, to the reproduction apparatus, a content list including content IDs which respectively indicate all contents held by the content distribution apparatus; and

a distribution unit operable to distribute an encrypted content requested by the reproduction apparatus and an encrypted content key associated with the encrypted content to the reproduction apparatus in response to a request from the reproduction apparatus, without using the recording medium as an intermediary, and

wherein the reproduction apparatus includes:

a display unit operable to read out the identification information from the

recording medium, to select, based on the read out identification information, one or more acquirable content IDs from among the content IDs included in the content list received from the content distribution apparatus, and to display an acquirable content list composed of the selected one or more acquirable content IDs;

a receiving unit operable to receive an acquirable content ID from a user with the use of the displayed acquirable content list; and

an acquiring unit operable to request an encrypted content from the content distribution apparatus, the encrypted content corresponding to the received acquirable content ID, and to acquire the requested encrypted content and an encrypted content key associated with the encrypted content, without using the recording medium.

Such a content reproduction system is not disclosed by Nakano, Katsumi, or Oren.

As indicated by the Examiner on page 5 of the Office Action, Nakano does not disclose a recording medium as recited in claim 22. Further, as the system disclosed in Nakano stores the keys and the contents together on the recording medium (*Nakano* Figs. 1, 3, 6, and 8-10; paragraphs 0047 and 0048), it is seen that Nakano also does not disclose a content distribution apparatus or a reproduction apparatus as recited in claim 22.

Regarding the content distribution apparatus, Nakano does not disclose transmitting a content list including content IDs which respectively indicate all contents held by the content distribution apparatus. There is no need for the content distribution apparatus of Nakano to transmit such a list; the content in Nakano is already stored in the recording medium.

Further, Nakano does not disclose a distribution unit as recited in claim 22. For example, paragraph 119, cited in the action as disclosing the distribution unit, does not disclose that encrypted content and associated key are distributed without using the recording medium as an intermediary; in fact, Nakano discloses distributing the encrypted content and associated key together on the medium.

Thus, Nakano does not disclose a content distribution apparatus as recited in claim 22.

Regarding the reproduction apparatus, Nakano does not disclose a display unit as recited in claim 22 because no content list (as recited in the claim) is received from the content

distribution apparatus. Therefore, there can be no selection of acquirable content IDs from the content IDs included in the content list, based on the identification information read out from the recording medium, as recited in claim 22.

Last, Nakano does not disclose a receiving unit operable to receive an acquirable content ID of the selected one or more acquirable content IDs, as recited in claim 22, because the selected one or more acquirable content IDs are not disclosed.

Katsumi discloses a prepaid recording medium and a system using the prepaid recording medium wherein the prepaid recording medium has prepaid information, additional information, and a content information recording area (*Katsumi* abstract), wherein the content is downloaded and stored in the content information recording area (*Katsumi* paragraphs 0008 and 0035). However, Katsumi does not obviate the deficiencies of Nakano discussed above, nor was it cited for such in the Action.

Oren discloses a system and method for movie transaction processing associated with viewing movies on DVDs as an alternative to other current methods (*Oren* abstract). However, Oren does not obviate the deficiencies of Nakano discussed above, nor was it cited for such in the Action.

In contrast to the disclosure in the prior art, according to the present invention as recited in claim 22 a user is able to request only acquirable contents that the user desires to view from among the latest contents provided by a content distributor. The user is not required to select content when the user purchases the recording medium, but may choose the content to be acquired at a later time.

Thus, claim 22 is not rendered obvious in view of the disclosures of Nakano, Katsumi, and Oren, or any obvious combination thereof. Accordingly, it is submitted that claim 22 is allowable over the prior art of record, as is claim 23 depending therefrom.

Claims 24, 34, 36, and 37 recite one or more limitations similar to those discussed above, and thus are not rendered obvious in view of the disclosures of Nakano, Katsumi, and Oren for similar reasons to the above. Accordingly, it is also submitted that claims 24, 34, 36, and 37 are allowable over the prior art of record, as are claims 25-33 and 35 depending therefrom.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this amendment, the Examiner feels that there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Masato YAMAMICHI et al.

/Aldo A. D'Ottavio/

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Aldo A. D'Ottavio
Registration No. 59,559
Agent for Applicants

AAD/JRF/lkd
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
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